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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUN 07 2022

SEAN F. McAVOY, CLERK
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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

2:22-CR-52-TOR

Plaintiff,

SUPERSEDING INDICTMENT

v.

Vio: 18 U.S.C. § 371
Conspiracy to Commit Theft
of Government Property and
Possession of Stolen
Ammunition (Count 1)

JOHN I. SANGER,
ERIC A. EAGLETON,
SHAWN ROBSON,
NATHAN G. RICHARDS,
JONAH PIERCE, and
AUSTIN LIMACHER,

18 U.S.C. §§ 922(j), 924(a)(2)
Possession of Stolen
Ammunition (Counts 2-9)

Defendants.

26 U.S.C. §§ 5841, 5845(a),
5861(d), 5871
Possession of an Unregistered
Firearm (Counts 10-12)

18 U.S.C. § 641
Receiving Stolen Government
Property (Counts 13-16)

18 U.S.C. § 924, 49 U.S.C. §
80303, 26 U.S.C. § 5872, 28
U.S.C. § 2461
Forfeiture Allegations

1 | The Grand Jury charges:

General Allegations

1. At all times relevant to this Superseding Indictment, the Defendants, JOHN I. SANGER, ERIC A. EAGLETON, SHAWN ROBSON, NATHAN G. RICHARDS, JONAH PIERCE, and AUSTIN LIMACHER, were enlisted servicemembers of the United States Air Force.

2. At all times relevant to this Superseding Indictment, the Defendants, JOHN I. SANGER, ERIC A. EAGLETON, SHAWN ROBSON, JONAH PIERCE, and AUSTIN LIMACHER, resided within the Eastern District of Washington.

3. At all times relevant to this Superseding Indictment, the Defendant, NATHAN G. RICHARDS, resided within the Eastern District of Washington and the District of Nevada.

4. At all times relevant to this Superseding Indictment, the Defendant JOHN I. SANGER was assigned to the 92nd Logistics Readiness Squadron (92nd LRS), Fairchild Air Force Base, Airway Heights, Washington, within the Eastern District of Washington.

5. At all times relevant to this Superseding Indictment, the Defendants, ERIC A. EAGLETON, SHAWN ROBSON, and AUSTIN LIMACHER, were assigned to the Combat Arms Training Management (CATM) section of the 92nd Security Forces Squadron (92 SFS) located on Fairchild Air Force Base, Airway Heights, Washington. JONAH PIERCE was assigned to the Armory on Fairchild Air Force Base, Airway Heights, Washington. All were within the Eastern District of Washington.

6. On or about March 12, 2022, Defendant, NATHAN G. RICHARDS was assigned to the Fairchild Air Force Base CATM section. In early April 2022, RICHARDS conducted a permanent change of station move to Creech Air Force

1 Base, Nevada. RICHARDS was assigned as the Non-Commission Officer-in-
2 Charge (NCOIC) of the Creech Air Force Base CATM section.

3 COUNT ONE

4 7. Beginning on a date unknown but by on or about March 12, 2022, and
5 continuing until April 26, 2022, in the Eastern District of Washington and
6 elsewhere, the Defendants, JOHN I. SANGER, ERIC A. EAGLETON, SHAWN
7 ROBSON, NATHAN G. RICHARDS, JONAH PIERCE, and AUSTIN
8 LIMACHER, knowingly and willfully combined, conspired, and agreed with each
9 other, and with others unknown, to commit the following offenses against the
10 United States:

- 11 a. To willfully and knowingly receive, conceal and retain stolen property of
12 the United States, that is, ammunition of a value in excess of \$1,000.00,
13 with intent to convert said property to their own use, then knowing said
14 property to have been stolen, in violation of 18 U.S.C. § 641.
15 b. To knowingly possess stolen ammunition, which had been shipped in
16 interstate or foreign commerce, to wit: approximately 14,000 rounds of
17 assorted ammunition; well knowing or having reasonable cause to
18 believe the ammunition was stolen, in violation of 18 U.S.C. §§ 922(j)
19 and 924(a)(2).

20 The Unlawful Object And Manner And Means Of The Conspiracy

21 8. The Defendants, JOHN I. SANGER, ERIC A. EAGLETON, SHAWN
22 ROBSON, NATHAN G. RICHARDS, JONAH PIERCE, and AUSTIN
23 LIMACHER, conspired and combined in furtherance of the common objective of
24 stealing military ammunition from the Fairchild Air Force Base CATM for
25 personnel use.

26 9. As further set forth herein and below, it was a part of the conspiracy

that the Defendants, and their known and unknown conspirators, would steal military ammunition, property of the United States to which the Defendants had access by means of their military service, and provide the stolen ammunition to the known and unknown conspirators for their personal use and possession.

10. It was further part of the conspiracy that the Defendants would falsify documentation in order to make it appear that the stolen ammunition had been expended in the ordinary course of official military use.

11. It was further part of the conspiracy that the Defendants, and other known and unknown conspirators, would divide up the stolen ammunition amongst themselves for the personal use and possession of the conspirators individually and as part of the conspiracy, and would discuss amongst themselves that the ammunition was stolen military ammunition that had no cost to the conspirators.

Overt Acts

12. In furtherance of the conspiracy and to accomplish its objectives, the Defendants and other co-conspirators committed, among others, the following overt acts, some within the Eastern District of Washington:

- a. On or about March 12, 2022, the Defendants, SANGER, EAGLETON, RICHARDS, and others known and unknown to the grand jury, conducted a shooting range day at Fishtrap Lake, near Sprague, Washington, within the Eastern District of Washington. While at the shooting range, the Defendants, SANGER, EAGLETON, RICHARDS, and others known and unknown to the grand jury, fired various forms of ammunition, specifically 5.56mm M855 green tip ammunition that was stolen from the Fairchild Air Force Base CATM section.
 - b. At the conclusion of the shooting range, RICHARDS provided SANGER a one-gallon Zip Loc bag containing approximately 300 to

1 350 rounds of 5.56mm M855 green tip ammunition.

2 c. RICHARDS informed SANGER the ammunition was stolen from the
3 Fairchild Air Force Base CATM section. RICHARDS further explained
4 that members of the CATM section falsified the records of a USAF
5 Explosive Ordnance Disposal (EOD) unit's weapons qualification to
6 reflect this ammunition as having been expended. This provided
7 RICHARDS and the other CATM members the opportunity to divide the
8 ammunition amongst themselves.

9 d. SANGER subsequently provided an Air Force Office of Special
10 Investigations (OSI) Undercover Agent (U/C) approximately sixty (60)
11 rounds of this 5.56mm M855 green tip ammunition. Subsequently, Air
12 Force OSI special agents identified the sixty (60) rounds of ammunition
13 provided to the U/C by SANGER as having previously been produced by
14 the Lake City Army Ammunition Plant located in Independence,
15 Missouri.

16 e. Air Force OSI special agents conducted a review of CATM records and
17 determined CATM indicated the expenditure of 5.56mm M855 green tip
18 ammunition in the amount of 5,400 rounds on or about November 20,
19 2021.

20 f. On March 28, 2022, SANGER contacted the Air Force OSI U/C and
21 stated EAGLETON had contacted him (SANGER) regarding additional
22 stolen ammunition. The U/C inquired into the cost for the ammunition,
23 to which SANGER responded there would be no cost because the
24 ammunition was stolen.

25 g. On March 29, 2022, SANGER met with EAGLETON in the Northern
26 Quest Resort and Casino parking lot. EAGLETON handed

1 SANGER a green ammunition container. SANGER then texted the U/C
2 that he received the ammunition and provided a photograph of the
3 ammunition.

- 4 h. On April 2, 2022, SANGER and the U/C went shooting at the Fishtrap
5 Lake shooting range. The U/C noted SANGER brought ammunition
6 consistent with the type of ammunition stolen by CATM personnel.
7 i. The U/C recovered four ammunition clips containing approximately 40
8 rounds of 5.56mm frangible ammunition. The U/C also obtained a
9 photograph of the green ammunition container brought by SANGER.
10 The container indicated the contents were 5.56mm frangible ammunition,
11 lot number FC-20A532-009.
12 j. Air Force OSI special agents reviewed CATM records and determined
13 these rounds of ammunition were recorded as having been expended
14 sometime between March 2, 2021 and July 12, 2021.
15 k. On April 26, 2022, in the Eastern District of Washington, Federal Bureau
16 of Investigation and Air Force OSI special agents located ammunition,
17 consistent with the stolen ammunition, in the residences of SANGER,
18 EAGLETON, ROBSON, PIERCE, and LIMACHER.
19 l. On April 26, 2022, in the District of Nevada, Air Force OSI special
20 agents located ammunition, consistent with the stolen ammunition, in the
21 residence of RICHARDS.

22 All in violation of 18 U.S.C. § 371. For the purpose of executing the scheme
23 described above, the conspirators also committed the additional overt acts
24 described below and detailed as separate counts.
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COUNT TWO

13. On or about March 12, 2022, in the Eastern District of Washington, the Defendants, JOHN I. SANGER, ERIC A. EAGLETON, and NATHAN G. RICHARDS, knowingly possessed stolen ammunition, that is 5.56mm military ammunition, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the ammunition was stolen, in violation of 18 U.S.C. §§ 922(j), 924(a)(2).

COUNT THREE

14. On or about March 29, 2022, in the Eastern District of Washington, the Defendants, JOHN I. SANGER and ERIC A. EAGLETON, knowingly possessed stolen ammunition, that is 5.56mm military ammunition, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the ammunition was stolen, in violation of 18 U.S.C. §§ 922(j), 924(a)(2).

COUNT FOUR

15. On or about April 26, 2022, in the Eastern District of Washington, the Defendant, JOHN I. SANGER, knowingly possessed stolen ammunition, that is 5.56mm military ammunition, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the ammunition was stolen, in violation of 18 U.S.C. §§ 922(j), 924(a)(2).

COUNT FIVE

16. On or about April 26, 2022, in the Eastern District of Washington, the Defendant, ERIC A. EAGLETON, knowingly possessed stolen ammunition, that is 5.56mm military ammunition, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the ammunition was stolen, in violation of 18 U.S.C. §§ 922(j), 924(a)(2).

COUNT SIX

17. On or about April 26, 2022, in the Eastern District of Washington, the Defendant, SHAWN ROBSON, knowingly possessed stolen ammunition, that is 5.56mm military ammunition, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the ammunition was stolen, in violation of 18 U.S.C. §§ 922(j), 924(a)(2).

COUNT SEVEN

18. On or about April 1, 2022, in the Eastern District of Washington, the Defendant, NATHAN G. RICHARDS, knowingly possessed stolen ammunition, that is 5.56mm military ammunition, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the ammunition was stolen, in violation of 18 U.S.C. §§ 922(j), 924(a)(2).

COUNT EIGHT

19. On or about April 26, 2022, in the Eastern District of Washington, the Defendant, JONAH PIERCE, knowingly possessed stolen ammunition, that is 5.56mm military ammunition, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the ammunition was stolen, in violation of 18 U.S.C. §§ 922(j), 924(a)(2).

COUNT NINE.

20. On or about April 26, 2022, in the Eastern District of Washington, the Defendant, AUSTIN LIMACHER, knowingly possessed stolen ammunition, that is 5.56mm military ammunition, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the ammunition was stolen, in violation of 18 U.S.C. §§ 922(j), 924(a)(2).

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COUNT TEN

21. On or about April 26, 2022, in the Eastern District of Washington, the Defendant, JOHN I. SANGER, knowingly received and possessed a firearm, to wit: a Knight's Armament, model M4QD, 5.56mm silencer, bearing serial number 981376, not registered to him in the National Firearms Registration and Transfer Record, in violation of 26 U.S.C. §§ 5841, 5845, 5861(d), and 5871.

COUNT ELEVEN

22. On or about April 26, 2022, in the Eastern District of Washington, the Defendant, ERIC A. EAGLETON, knowingly received and possessed a firearm, to wit: a gold and bronze in color firearm suppressor, bearing no tax stamps, markings, or serial number, not registered to him in the National Firearms Registration and Transfer Record, in violation of 26 U.S.C. §§ 5841, 5845, 5861(d), and 5871.

COUNT TWELVE

23. On or about April 26, 2022, in the Eastern District of Washington, the Defendant, AUSTIN LIMACHER, knowingly received and possessed a firearm, to wit:

- a firearm suppressor identified as a 6inch 5/8-24 Black New 1226, bearing no tax stamp, markings, or serial number; and
 - a firearm suppressor identified as a 6inch 1/2 -28 Black New 1226, bearing no tax stamp, markings, or serial number.

not registered to him in the National Firearms Registration and Transfer Record, in violation of 26 U.S.C. §§ 5841, 5845, 5861(d), and 5871.

COUNT THIRTEEN

24. On or about April 26, 2022, in the Eastern District of Washington, the Defendant, SHAWN ROBSON, willfully and knowingly did receive, conceal and

retain stolen property of the United States, that is, one Aimpoint, M68, CompM4s, Red Dot optic, bearing serial number K4592966, with intent to convert said property to his own use, the Defendant, SHAWN ROBSON, then knowing said property to have been stolen, in violation of 18 U.S.C. § 641.

COUNT FOURTEEN

25. On or about April 26, 2022, in the Eastern District of Washington, the Defendant, JONAH PIERCE, willfully and knowingly did receive, conceal and retain stolen property of the United States, that is, one Aimpoint, M68, CompM4s, Red Dot optic, bearing serial number K2593105, with intent to convert said property to his own use, the Defendant, JONAH PIERCE, then knowing said property to have been stolen, in violation of 18 U.S.C. § 641.

COUNT FIFTEEN

26. On or about April 1, 2022, in the Eastern District of Washington, the Defendant, NATHAN G. RICHARDS, willfully and knowingly did receive, conceal and retain stolen property of the United States, that is, a Target pointer Illuminator Aiming Light, PEQ-15, bearing serial number 539627 and a Aimpoint, M68, Red Dot Scope, bearing serial number K2577363, of a value exceeding \$1,000, with intent to convert said property to his own use, the Defendant, NATHAN G. RICHARDS, then knowing said property to have been stolen, in violation of 18 U.S.C. § 641.

COUNT SIXTEEN

27. On or about April 26, 2022, in the Eastern District of Washington, the Defendant, AUSTIN LIMACHER, willfully and knowingly did receive, conceal and retain stolen property of the United States, that is, three Aimpoint, M68, CompM4s, Red Dot optics bearing serial numbers W2535246, K4592897, and K4159277, of a value exceeding \$1,000, with intent to convert said property to his

own use, the Defendant, AUSTIN LIMACHER, then knowing said property to have been stolen, in violation of 18 U.S.C. § 641.

NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

The allegations contained in this Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures.

Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), upon conviction of an offense(s) in violation of 18 U.S.C. §§371, 641, 922(j), as set forth in Count 1 of this Superseding Indictment, Defendants JOHN I. SANGER, ERIC A. EAGLETON, SHAWN ROBSON, NATHAN G. RICHARDS, JONAH PIERCE, and AUSTIN LIMACHER, and/or in violation of 18 U.S.C. § 641, as set forth in Counts 13 – 16, Defendants, SHAWN ROBSON (Count 13), JONAH PIERCE (Count 14), NATHAN G. RICHARDS (Count 15), and AUSTIN LIMACHER (Count 16), shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to the offense(s), all pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

If any of the property described above, as the result of any act or omission of Defendants:

- (a) cannot be located upon the exercise of due diligence;
 - (b) has been transferred or sold to, or deposited with, a third party;
 - (c) has been placed beyond the jurisdiction of the court;
 - (d) has been substantially diminished in value; or
 - (e) has been commingled with other property which cannot be divided without difficulty.

the United States shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

1 Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction
2 of a violation of 18 U.S.C. §§ 922(j), 924(a)(2), as set forth in Counts 2 – 9 of this
3 Superseding Indictment, Defendants, JOHN I. SANGER (Counts 2 - 4), ERIC A.
4 EAGLETON (Counts 2, 3 and 5), NATHAN G. RICHARDS (Counts 2 and 7),
5 SHAWN ROBSON (Count 6), JONAH PIERCE (Count 8) and AUSTIN
6 LIMACHER (Count 9) shall forfeit to the United States of America, any and all
7 firearms and ammunition involved or used in the commission of the offense.
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9 Pursuant to 49 U.S.C. § 80303, 26 U.S.C. § 5872 and 28 U.S.C. § 2461,
10 upon conviction of an offense(s) in violation of 26 U.S.C. §§ 5841, 5845(a),
11 5861(d), 5871, as set forth in this Superseding Indictment, Defendants, JOHN I.
12 SANGER (Count 10), ERIC A. EAGLETON (Count 11), and AUSTIN
13 LIMACHER (Count 12), shall forfeit to the United States of America, any firearms
14 involved or used in the commission of the offense(s), including, but not limited to:

15 DEFENDANT, JOHN I. SANGER (Count 10)

16 a Knight's Armament, model M4QD, 5.56mm silencer, bearing serial
17 number 981376

18 DEFENDANT, ERIC A. EAGLETON (Count 11)

20 a gold and bronze in color firearm suppressor, bearing no tax stamps,
21 markings, or serial number,

22 DEFENDANT AUSTIN LIMACHER (Count 12)

24 a firearm suppressor identified as a 6 inch 5/8-24 Black New 1226, bearing
no tax stamp, markings, or serial number; and

1
2 a firearm suppressor identified as a 6 inch 1/2 -28 Black New 1226, bearing
3 no tax stamp, markings, or serial number

4 DATED this 7 day of June 2022.



10 Vanessa Waldref

11 Vanessa R. Waldref
12 United States Attorney

13 
14 Patrick J. Cashman
15 Assistant United States Attorney